

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 5201 (DLC)
v.		:	
HSBC NORTH AMERICA HOLDINGS, INC., et al.,		:	
Defendants.		:	
-----	X	:	
FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 6188 (DLC)
v.		:	
JPMORGAN CHASE & CO., et al.,		:	
Defendants.		:	
-----	X	:	
FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 6189 (DLC)
v.		:	
HSBC North America Holdings, Inc., et al.,		:	
Defendants.		:	
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FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 6190 (DLC)
v.		:	
BARCLAYS BANK PLC, et al.,		:	
Defendants.		:	
-----	X	:	
FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 6192 (DLC)
v.		:	
DEUTSCHE BANK AG, et al.,		:	
Defendants. :		:	
-----	X	:	
FEDERAL HOUSING FINANCE AGENCY, etc.,		:	
Plaintiff,		:	11 Civ. 6193 (DLC)
v.		:	
FIRST HORIZON NATIONAL CORP., et al.,		:	
Defendants. :		:	
-----	X	:	

FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6195 (DLC)
BANK OF AMERICA CORP., et al.,	:	
Defendants. :	:	

-----	X	:
FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6196 (DLC)
CITIGROUP INC., et al.,	:	
Defendants.	:	

-----	X	:
FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6198 (DLC)
GOLDMAN, SACHS & CO., et al.,	:	
Defendants. :	:	

-----	X	:
FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6200 (DLC)
CREDIT SUISSE HOLDINGS (USA), INC., et al.,	:	
Defendants. :	:	

-----	X	:
FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6201 (DLC)
NOMURA HOLDING AMERICA, INC., et al.,	:	
Defendants. :	:	

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FEDERAL HOUSING FINANCE AGENCY, etc.,	:	
Plaintiff,	:	
v.	:	11 Civ. 6202 (DLC)
MERRILL LYNCH & CO., INC., et al.,	:	
Defendants. :	:	

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FEDERAL HOUSING FINANCE AGENCY, etc.,
Plaintiff,
v.
SG AMERICAS, INC., et al.,
Defendants.

11 Civ. 6203 (DLC)

----- X
FEDERAL HOUSING FINANCE AGENCY, etc.,
Plaintiff,
v.
MORGAN STANLEY, et al.,
Defendants. :

11 Civ. 6739 (DLC)

----- X
FEDERAL HOUSING FINANCE AGENCY, etc.,
Plaintiff,
v.
ALLY FINANCIAL INC., et al.,
Defendants. :

11 Civ. 7010 (DLC)

----- X
FEDERAL HOUSING FINANCE AGENCY, etc.,
Plaintiff,
v.
GENERAL ELECTRIC COMPANY, et al.,
Defendants. :

11 Civ. 7048 (DLC)

DEFENDANTS' SUPPLEMENTAL SUBMISSION REGARDING CERTAIN DEVELOPMENTS BEARING ON THE JUNE 6, 2012 RULE 26(f) JOINT REPORT

Defendants in the above-captioned actions ("Actions"), by and through their respective counsel, submit this supplemental submission to alert the Court to important developments bearing on certain issues identified in the parties' June 6, 2012 Rule 26(f) Joint Report and the parties' respective separate submissions.

In its separate Rule 26(f) Report, FHFA took the position that Defendants, as a group, should only be permitted to take up to 20 depositions in total of the GSEs and FHFA (FHFA Report at 3), despite the fact that in its original response to Defendants' First Set of Interrogatories on May 31, 2012, FHFA had already identified 32 GSE and FHFA employees with potential knowledge of the certificates at issue in the Actions. Yesterday, FHFA served its First Supplementation of Responses to Defendants' First Set of Interrogatories ("Supplemental Responses"), dated June 11, 2012, which identifies an **additional 36 individuals** with potentially relevant knowledge – increasing the number of individuals that *FHFA itself* deems may have relevant knowledge to **68**. (Plaintiff's Supplemental Responses are attached as Exhibit A.) This morning, FHFA identified 54 document custodians Plaintiff proposes to search, initially, for potentially relevant information. Meanwhile, Defendants have identified nearly **200 GSE employees** who may have knowledge relevant to the GSEs' purchase and analysis of the 449 securitizations in the Actions.¹ FHFA has refused to confirm that there are even 20 people who, in the aggregate, had knowledge of all 449 securitizations. These new disclosures confirm that there is no reasonable basis for the 20-deposition limit on GSE personnel and certain discovery time periods that FHFA has asked the Court to impose.

¹ None of these numbers includes any additional GSE employees who have knowledge regarding the originators at issue, whom FHFA refuses to identify.

Dated: New York, New York
June 12, 2012

Respectfully submitted,

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